

REMARKS

Applicant requests reconsideration and allowance in view of the forgoing amendments and the following remarks. Claims 1-3, 6-9, 12-15, and 18-92 are pending in this application. Claims 34-92 have been added. Claims 4, 5, 10, 11, 16, and 17 have been cancelled.

Drawings

A drawing change authorization request has been filed concurrently with this amendment to effect a substitution of revised Figs. 1-2 for original Fig. 1-2. The processor has been renumbered to processor 110 in Fig. 1, which is consistent with the specification. In Fig. 2, reference character 213 has been removed.

Allowable Subject Matter

Applicant acknowledges the Examiner's indication that claims 4-5, 10-11, 16-17, 27 and 29 recite allowable subject matter. Applicant has rewritten these allowable claims as new claims 26, 27, and 66-92, which are therefore believed to be allowable.

35 U.S.C. §103(a) Bleidt/Reed/Arranjo Rejection

Claims 1-3, 6-9, 12-15, 18-26, 28, and 30-33 are rejected as being unpatentable over U.S. Patent No. 5,920,702 to Bleidt et al in view of U.S. Patent No. 6,041,239 to Reed. Claims 18-23, and 30-33 are rejected as being unpatentable over Bleidt and Reed as applied to the claims above, and further in view of U.S. Patent No. 6,097,720 to Araujo et al.

Claim 1 recites a method in which the predicted interest of a recipient in a content element is determined as a content element score. This content element score is compared against a threshold and used to determine whether to distribute the content element to the recipient. The method of claim 1 is particularly useful for allowing selection among several resources by one or more seeking (but not necessarily competing) users.

By contrast, Reed does not determine or assign a score to any particular content element. Specifically, Reed calculates a cellular load for each of several different candidate recipient regions, enabling an apportionment of the cellular resources among the scored/ranked regions.

Thus, in Reed, user preference for any particular cellular resource is not determined, such that a selection among the various available cellular resources remains uniformed. By contrast, in the present invention, user preference for at least one pooled content element is determined and represented by a score, such that one or more particular content elements may be distinguished selected for distribution based on the score.

Neither Bleidt nor Araujo were cited as disclosing the above noted features. Accordingly, reconsideration and withdrawal of the outstanding rejections are respectfully requested.

Attached is a marked-up version of the changes being made by the current amendment.

Conclusion

Applicant submits that this application is in condition for allowance and request favorable action in the form of a Notice of Allowance.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number listed below.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

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Thomas A. Rozykiewicz
Reg. No. 50,620

Fish & Richardson P.C.
601 Thirteenth Street, NW
Washington, DC 20005
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

Version with markings to show changes made

In the claims:

Claims 4, 5, 10, 11, 16, and 17 have been canceled.

Claims 1, 2, 3, 7, 8, 9, 12, 13, 14, 15, 18, 20, 21, 23, 24, 27, 29, 30, 31, and 33 have been amended as follows:

1. (Amended) A method comprising:
[selecting a pool of content elements from a set of content elements, said pool having a plurality of content elements but less than all of said set of content elements;]
determining a score for one of [said] a set of content elements in [said] a pool, said score being responsive to a predicted interest in said one content element [by an individual recipient of said one content element to a recipient] by an individual recipient;
comparing said score with a selected threshold; and
choosing whether to distribute said one content element to said individual recipient, in response to said [step of] comparing.
2. (Amended) A method as in claim 1 [including steps for] further comprising adjusting said selected threshold in response to comparing.
3. (Amended) A method as in claim 1 [including steps for] further comprising adjusting said selected threshold in response to said individual recipient.
7. (Amended) A method as in claim 1 further comprising:
repeating said [steps for] determining and [steps for] comparing, for a plurality of content elements in said pool; and
selecting one of said plurality in response to said scores.
8. (Amended) A method as in claim 7[, including steps for] further comprising adjusting said selected threshold in response to said comparing.

9. (Amended) A method as in claim 7[, including steps for] further comprising adjusting said selected threshold in response to said individual recipient.

12. (Amended) A method as in claim 7 wherein said [steps for] selecting is responsive to said selected threshold.

13. (Amended) A method as in claim 1[, including steps for] further comprising [steps for] repeating said determining, comparing, and choosing, until a selected condition.

14. (Amended) A method as in claim 13[, including steps for] further comprising adjusting said selected threshold in response to said [step for] comparing.

15. (Amended) A method as in claim 13[, including steps for] further comprising adjusting said selected threshold in response to said individual recipient.

18. (Amended) A method as in claim 13 wherein said selected condition is responsive to a number of times said [said steps for determining are] determining is performed.

20. (Amended) A method as in claim [1, including steps for] 34 further comprising selecting a new [said] pool that differs from said pool.

21. (Amended) A method as in claim 20 wherein said [steps for] selecting said new pool includes [steps for] replacing [the entire] said pool entirely.

22. (Amended) A method as in claim 20 wherein said [steps for] selecting said new pool includes [steps for]:

selecting an individual content element for addition to said pool; and
selecting an individual content element for removal from said pool.

23. (Amended) A method as in claim 20[,] wherein said [steps for] selecting said new pool are [responsive to a timer] selected based on timing information.

24. (Amended) A system including:

[a pool] a score for one of a set of content elements [said] a pool, [selected from a set of content elements, said pool having a plurality of content elements but less than all of said set of content elements;] said score being responsive to a predicted interest by an individual recipient of said one content element to a recipient;

[a score for one of said content elements in said pool, said score being responsive to a predicted interest be an individual recipient of said one comment element to a recipient;]

a result of comparing said score with a selected threshold; and

a communication path disposed for coupling said one content element to said individual recipient, in response to said result of comparing.

27. (Amended) A system[as in claim 24,] including:

a plurality of scores for content elements in a set of content elements in a pool, said scores being responsive to a predicted interest by an individual recipient of said one content element to a recipient;

a result of comparing said scores with a selected threshold; and

an adjusted threshold, said adjusted threshold being in response to said result for comparing;

[a plurality of scores each associated with a content element in said pool;]

a communication path disposed for coupling said one content element to said individual recipient, in response to said result of comparing; and

a selected one of said content elements, said selected one being in response to said scores and said adjusted threshold.

29. (Amended) A system [method as in claim 24,] including:

a plurality of scores for content elements in a set of content elements in a pool, said scores being responsive to a predicted interest by an individual recipient of said one content element to a recipient;

a result of comparing said scores with a selected threshold;

an adjusted threshold, said adjusted threshold being in response to said result for comparing;

a corresponding set of results of comparing said plurality of scores with said adjusted threshold;

[a plurality of scores, each associated with a different one of said content elements in said pool;]

a communication path disposed for coupling said one content element to said individual recipient, in response to said result of comparing; and

a selected one of said content elements, said selected one being responsive to said set of results of comparing.

30. (Amended) A system as in claim [24] 35 including a new [said] pool that differs from said pool.

31. (Amended) A system in claim 30 wherein said new pool is in response to replacing [the entire] said pool entirely.

33. (Amended) A method as in claim 20 wherein content elements in said new pool are [responsive to a timer] selected based on timing information.